

REMARKS

A. Generally

Applicant thanks the Examiner for the courtesy of affording Applicant a telephone interview on December 14, 2005.

Claims 1-7, 9-14, and 16-28 remain in this application. Claims 1-7, 9-14 and 16-20 have been amended. Claims 21-28 have been added. No new matter has been added.

B. *Claim Rejections - 35 USC § 112*

Claims 1, 7, and 13 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In reference to independent claims 1, 7, and 13 as examined recited recite the limitation ‘objects having the *same unique* identifier.’ The examiner pointed out that the language was contradictory.

Claims 1, 7, and 13 have been amended. Applicant respectfully submits that the claims as amended particularly point out and distinctly claim the subject matter which applicant regards as the invention.

C. *Claim Rejections Under 35 U.S.C. §102*

Claims 1-7, 9-14, and 16, are rejected under 35 U.S.C. 102(e) as being anticipated by Burke USPN 6,026,377 (herein, “Burke”). Burke generally describes a system for generating images representative of a store shelf that includes a retail space management system for generating information describing product and shelf sizes and locations in three dimensions.

Independent claims 1, 7 and 13 (as examined) were directed to an “electronic container” comprising “objects.” The examiner found that the images of products as described by Burke mapped to the “objects” recited in claims 1, 7 and 13 (as examined). Applicant has amended independent claims 1, 7 and 13 to recite limitations that are directed to an “electronic container” comprising “data files” having “content” that is “useful in conducting a transaction” and “information about the data files.” Applicant submits that Burke does not teach or describe an electronic container comprising data files and information about the data files. Based on the foregoing, Burke does not anticipate claims 1, 7 and 13 (as amended).

Claims 2-6 (as amended) and new claims 23-25 depend from claim 1(as amended) and

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recite all of the limitations of claim 1 (as amended). Based on the foregoing, Applicant submits that claims 2-6 (as amended) and claims 23 -25 are not anticipated by Burke.

Claims 9-12 (as amended) and new claims 26-28 depend from claim 7(as amended) and recite all of the limitations of claim 7 (as amended). Based on the foregoing, Applicant submits that claims 9-12 (as amended) and claims 26-28 are not anticipated by Burke.

Claims 14 and 16-20 (as amended) and new claims 21 and 22 depend, directly or indirectly, from claim 13 (as amended) and recite all of the limitations of claim 13 (as amended). Based on the foregoing, Applicant submits that claims 14 and 16-20 (as amended) and claims 21 and 22 are not anticipated by Burke.

C. Conclusion.

Applicant respectfully requests reconsideration of the current rejection of the claims now pending in this application in view of the above amendments, remarks and arguments. Should any further questions arise concerning this application or in the event the above amendments do not place the application in condition for allowance, applicant respectfully requests a telephone interview. Attorney for the applicant may be reached at the number listed below.

Respectfully Submitted,

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